

AMENDED IN SENATE MAY 4, 2005  
AMENDED IN SENATE APRIL 12, 2005

**SENATE BILL**

**No. 368**

**Introduced by Senator Escutia**

February 17, 2005

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An act to add Section 314 to the Education Code, relating to English language learners.

LEGISLATIVE COUNSEL'S DIGEST

SB 368, as amended, Escutia. English language learners: database.

Existing law, the English Learner and Immigrant Pupil Federal Conformity Act, provides for the provision of instructional services to pupils with limited English proficiency and immigrant pupils in conformity with federal requirements that are designed to ensure that all pupils have reasonable access to educational opportunities with regard to English and other core curriculum areas of instruction. Existing law also requires a school district to assess each pupil's language proficiency, with certain requirements.

*This bill would declare the intent of the Legislature that a pilot study be conducted, subject to the provision of private funds for this purpose, to track the educational progress of English learner pupils, with the intent of informing, developing, and maintaining an English learner database containing information on pupils in kindergarten and grades 1 to 12, inclusive. The bill would declare the intent of the Legislature the State Department of Education consider the results of the study in the development of an English learner database, or in the expansion of an existing database, to include elements identified by the research, as specified.*

~~This bill would require the State Department of Education to develop and maintain a database to track the educational progress of~~

English language learners in 4 school districts that elect to participate in the development of this database, with specified requirements.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. (a) The Legislature hereby finds and declares
- 2     all of the following:
- 3         (1) More than 1.6 million of California's pupils are identified
- 4         as English language learners, or one-third of elementary school
- 5         pupils and one-quarter of high school pupils, according to the
- 6         Public Policy Institute of California.
- 7         (2) The success of English learner pupils, in terms of learning
- 8         English and succeeding academically, is vital to the economic
- 9         viability of California.
- 10        (3) English learner pupils have been subject to numerous laws
- 11        and programs that were intended to improve their academic
- 12        outcomes.
- 13        (4) To date, longitudinal data have not been collected on how
- 14        various reforms, background characteristics, and the process of
- 15        second language acquisition influence the academic success of
- 16        English learner pupils.
- 17        (5) Understanding the role that these factors play in pupil
- 18        success would allow policymakers and practitioners to shape
- 19        programs and interventions to improve the academic
- 20        achievement of English learner pupils.
- 21        (b) It is the intent of the Legislature that a pilot study be
- 22        conducted, upon the provision of private funds for this purpose,
- 23        to track the educational progress of English learner pupils, with
- 24        the intent of informing, developing, and maintaining an English
- 25        learner database containing information on pupils in
- 26        kindergarten and in grades 1 to 12, inclusive.
- 27        (c) It is also the intent of the Legislature that the State
- 28        Department of Education consider the results of this study in the
- 29        development of an English learner database, or in the expansion
- 30        of an existing database, to include elements identified by the
- 31        research that identify and inform all of the following:
- 32        (1) Factors that impede and promote educational progress of
- 33        English learner pupils.

1 (2) *Programs and coursework that provide for greater English*  
2 *learner pupil success.*

3 (3) *Critical points of education and linguistic transition for*  
4 *English learner pupils.*

5 (4) *The impact of education policies and reforms with respect*  
6 *to English learner pupils.*

7 SECTION 1. ~~Section 314 is added to the Education Code, to~~  
8 ~~read:~~

9 314. (a) ~~The department shall develop and maintain a~~  
10 ~~database to track the educational progress of English language~~  
11 ~~learners that shall include information related to all of the~~  
12 ~~following elements:~~

13 (1) ~~The educational progress of English language learners~~  
14 ~~from kindergarten and grades 1 to 12, inclusive.~~

15 (2) ~~The identification of factors that promote or impede the~~  
16 ~~educational progress of English language learners.~~

17 (3) ~~The assessment of the impact of educational policies and~~  
18 ~~reform on English language learners.~~

19 (4) ~~The development of assessment instruments for English~~  
20 ~~language learners.~~

21 (b) ~~Participation in the collection of data is voluntary on the~~  
22 ~~part of a school district and shall be limited to four school~~  
23 ~~districts that the department deems sufficient in size to facilitate~~  
24 ~~the development of this database. The department shall permit~~  
25 ~~participating school districts to access data contained in this~~  
26 ~~database.~~